

### **REMARKS**

The following remarks are responsive to the Office Action mailed February 11, 2009 ("Action"). Reconsideration and allowance of the claims based on the above amendments and following remarks are respectfully requested. No new matter has been added.

#### **Allowable Subject Matter**

Preliminarily, Applicants note with appreciation the indication that the application contains allowable subject matter. The Action, however, characterizes the allowable feature using terms not found in the claims (e.g., sandwiched between two electrodes). Applicants respectfully disagree with claim characterizations to the extent they use terms not found in the claims. Once again, Applicants appreciate the indication that the application contains allowable subject matter and respectfully submit the following comments the other objections and rejections set forth in the Action.

#### **Specification Objections**

On pages 2-4, the Action objects to informalities in the specification. Applicants submit that most of the above amendments to the specification are self-explanatory and are believed to overcome the objections. The following remarks address the remaining objections.

On page 2, the Action requests that section headings be added to the specification. To comply with this request, certain paragraphs have been rearranged.

On pages 2-3, the Action requests that various acronyms be defined. Pursuant to that request, the above specification amendments define the various acronyms.

On page 3, the Action inquires as to whether the wire mesh and the anode surface are the same, as reference numeral 14 follows each in the specification. Similarly, the Action also inquires as to whether the wire mesh and the cathode surface are the same, as reference numeral 12 follows each in the specification. These questions in the Action appear to relate to different components being assigned the same reference numeral. As such, Applicants have amended the specification to remove reference number 14 after the phrase "anode surface" and to remove reference number 12 after the phrase "cathode surface."

On page 3, the Action indicates that, although described in the specification, no Figure 1C is found in the drawings. Applicants submit herewith a replacement figure that adds the label FIG. 1C.

On page 4, the Action alleges that the specification is replete with misspellings of words. The above specification amendments have corrected various misspellings. The Action further alleges that the word “plaited” is a misspelling of the word “plated.” *Id.* at p. 4. Applicants disagree and note that the word “plaited” is not a misspelling.

Based on the above amendments and remarks, Applicants respectfully request that the specification objections be withdrawn.

### **Claim Rejections Under 35 U.S.C. §112**

Claims 1-26 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse.

The Action rejects claim 1 on four grounds, listed below. First, the Action alleges that “[i]t is unclear to the examiner which perforated foil or wires mesh is being instantly claimed since it appears that the spacer and the electrodes next to the conductive frame all have this perforated foil or wires mesh.” *See* Action, p. 4. Later, the Action alleges that “it is unclear which perforated foil or wire mesh is being instantly claimed. Is it the perforated foil or wire mesh of the anode and cathode surfaces or is it that of the spacer, since the claim appears to have improper antecedent basis for the same feature for the spacer as for the anode and cathode surface perforated foil or wire meshes.” *Id.* Second, the Action alleges “if the spacer is a foil or wire mesh, it is unclear how the device will not be capable of short circuiting since the spacer is suppose to be non-conductive material which means that these wires could not be wires by definition and still be non-conductive.” *Id.* Third, the Action alleges that “it appears that applicant needs to provide the materials used for the spacer showing that these materials are non-conductive since the term ‘wires’ designates conductivity since wires are typically conductive in nature. *Id.* at p. 5. Lastly, the Action alleges that “[i]t appears that the ‘wires’ applicants are describing are non-conducting in nature and should therefore be set forth as non-conducting and in fact the specification is showing the use of PVS or PP which are polymers and are not metals for the spacer.” *Id.*

The amendments to claim 1 are believed to be self-explanatory and have rendered these rejections moot. Accordingly, Applicants respectfully request that the rejection of claim 1, as well as its dependent claims, under 35 U.S.C. § 112 be withdrawn.

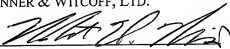
#### **New Claim**

New Claim 27 has been added to the application and depends from claim 1. Support for new claim 27 may be found at least in Fig. 4A and page 10, lines 1-11 of the application as originally filed. Claim 27 is in condition for allowance at least for similar reasons given in support of claim 1, in addition to the features it recites.

#### **CONCLUSION**

Applicant respectfully submits that the pending claims are in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

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Respectfully submitted,  
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